

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

| | |
|----------------------------------|---|
| *****) | |
| ALISON HARRIS, |) |
| Plaintiff, |) |
| |) |
| v. |) |
| |) |
| HOUSE OF BLUES ENTERTAINMENT, |) |
| LLC, LANSDOWNE BOSTON |) |
| RESTAURANT, LLC, and LIVE NATION |) |
| WORLDWIDE, INC., |) |
| Defendants. |) |
| ***** | |

CIVIL ACTION NO.

NOTICE OF REMOVAL OF THIS CIVIL ACTION

Now come all defendants in the above entitled action, House of Blues Entertainment, LLC; Lansdowne Boston Restaurant, LLC; Live Nation Worldwide, Inc., and hereby jointly consent in and tender notice of the removal of this civil action from the Norfolk Superior Court pursuant to 28 U.S.C.S. § 1446. In support of their removal notice, the defendants annex hereto copies of all papers and orders filed in the Norfolk Superior Court in this civil action.¹

As further support for removing this civil action from state court, the defendants state as follows:

1. As is clear from the paragraphs 1 through 4 of plaintiff's complaint which is Exhibit A hereto, there is complete diversity of jurisdiction between the plaintiff and all defendants.
2. Plaintiff's complaint attempts to state a premises liability action and avers that she sustained "serious and permanent" injuries as a result of the defendants' negligence. ¶ 17
3. While plaintiff had no right in Massachusetts state courts to state in her Complaint an *ad damnum*, according to the civil action coversheet filed by plaintiff in the Norfolk Superior Court in this action which is Exhibit C hereto she maintains that she has already sustained \$12,279.90 solely as a result of past medical expenses allegedly arising out of

¹ Plaintiff's Complaint in the Norfolk Superior Court (Exhibit A hereto);
 Plaintiff's Summons to each defendant upon which service has been attempted (Exhibits B1 and B2 hereto);
 Plaintiff's Civil Action Cover Sheet (Exhibit C hereto);
 Norfolk Superior Court Scheduling Order (Exhibit D hereto)

her cause of action, and plaintiff alleges that all future lost earnings and all future medical expenses at this time are "unknown."

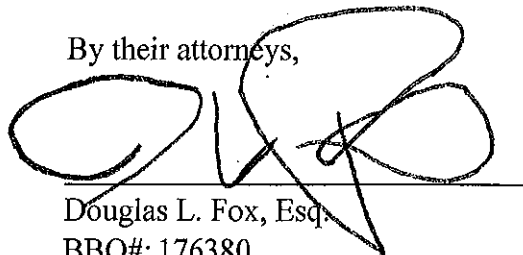
4. According to the plaintiff's state court filings, therefore, it may be reasonably and fairly inferred that the amount of plaintiff's claim, that is, the amount in controversy, exceeds \$75,000, exclusive of interest and costs, and all defendants so state.
5. According to plaintiff's summonses which are attached hereto as Exhibits B1 and B2, plaintiff purported to serve two defendants though the Deputy Sheriff of Suffolk County on the same date: July 17, 2015, or less than 30 days from the date the defendants are removing this civil action from state court.
6. All defendants yet tender this Notice of Removal consistent with federal law insofar as none waive the validity of process, the validity of service of process, personal jurisdiction over them in any state or federal court presiding in this Commonwealth, or any other defenses.

WHEREFORE, the requirements for removing this entire civil action pursuant to 28 U.S.C.S. § 1446 are thereby satisfied and its removal to this Honorable Court should take place forthwith.

DEFENDANTS:

House of Blues Entertainment, LLC,
Lansdowne Boston Restaurant, LLC and
Live Nation Worldwide, Inc.,

By their attorneys,

A large, stylized handwritten signature in black ink, appearing to be 'DLF', is written over a horizontal line.

Douglas L. Fox, Esq.
BBO#: 176380

SHUMWAY, GIGUERE & FOX, PC
19 Cedar Street
Worcester, MA 01609
(508) 756-2323
FAX (508) 752-7736
dlf@sgfpc.com

Dated: August 6, 2015

CERTIFICATE OF SERVICE

I, Douglas L Fox, attorney for all defendants in the above entitled action, hereby certify that on the above date I served the above notice, along with the federal civil action coversheet, by causing true copies thereof to be sent by US mail, postage prepaid, to the following:

John M. Wozniak, Esq.
Wozniak law group PPC
159 Hartford Ave. E.
Menden, MA 01756

Assistant Civil Clerk
Norfolk Superior Court
650 High Street
Dedham, MA 02026



Douglas L. Fox, Esq.